

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
August 8, 2007**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., August 8, 2007, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1, Andrew Kunasek, Vice Chairman, District 3, Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board, Shirley Million, Minutes Coordinator, David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-no-absent-abstain.

EASEMENTS AND RIGHT-OF-WAY ACQUISITION DOCUMENTS

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

Property Management - East Maricopa Floodway (Per Resolution FCD1999R016)

Item M-2146-WE, Easement and Agreement for Irrigation Waterline to San Tan Irrigation District, a political subdivision of the State of Arizona from the Flood Control District of Maricopa County for the sum of \$1.00.

POLICY REGARDING WORKPLACE SOLICITATIONS

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve a new policy for the Flood Control District, A1512 Prohibition Against Unauthorized Solicitations, and Unauthorized Posting or Distribution of Literature, prohibiting unauthorized solicitations, and unauthorized postings or distributions of literature in the workplace and county land. Also rescind the following existing policies: A-1502 (solicitation) and A-1917 (posting). This matter was discussed in Executive Session on July 23, 2007, and was previously approved by the Board of Supervisors at its July 25, 2007 meeting under C3108001600. (C3108003600) (ADM1918)

A. Purpose and Scope

To provide a system in which to monitor and control solicitation, posting of notices, and the distribution and circulation of literature directed toward County employees to reduce conflicts of interest, and prevent interference with work and inconvenience to employees.

This policy supersedes County policies A-1502 (solicitation) and A-1917 (posting) adopted in 1991, and all other earlier County policies which are inconsistent with the terms of this document.

B. Definitions

Solicitation: to request time or resources for the benefit of an individual or group. Solicitation may involve employees, non-employees, or groups engaging in direct sales, recruitment, placing signs or posters, and other activities to benefit the individual or group. These benefits may include intangible benefits such as joining organizations, agreeing with opinions or beliefs, or changing behavior. Tangible benefits include, but are not limited to, buying, selling, or exchanging goods or services.

Literature: includes written or printed material, and tangible things.

FORMAL SESSION

August 8, 2007

Work time: time when an employee is scheduled and expected to be engaged in performing his or her work tasks. Work time does not include meal time or break time.

Work areas: the areas where employees perform their work tasks. Work areas do not include lobbies, employee lounges, break rooms, and employee restrooms, unless an employee is specifically assigned to perform work at that location.

C. Policy

1. Except when doing so directly for the County, employees will not sell merchandise, solicit, post information, promote support for any cause or organization, or distribute or circulate literature during his or her work time, or during the work time of the employee or employees at whom such activity is directed.
2. Except when doing so directly for the County, employees will not distribute or circulate any literature in work areas, hallways, or lobbies at any time.
3. Non-employees may solicit and distribute literature only in public places such as sidewalks, open or public parking lots, or other facilities that are available for public use. All constitutionally protected speech will be permitted by the County, within reasonable time, place, and manner parameters.
4. Subject to Section E, non-employees will not solicit, post, or distribute literature for any purpose in areas not open to the public, nor will employees do so on behalf of non-employees. Areas not open to the public include, but are not limited to, employee lounges, break rooms, employee restrooms, secured employee parking lots, employee work areas, the County paycheck distribution system, the County intranet, the County internet website, and the County's internal mail system. Subject to Section E, this policy specifically forbids non-employees and employees from inserting literature in the County's internal mail system unless the literature is related to County operations.
5. Subject to Section E, literature must pertain to official County business if posted on County bulletin boards or on other County property used for posting employee notices. Subject to its discretion, at some or all of its facilities, the County may require postings to be placed inside glass cases.
6. This policy does not apply to posting official public notices.

D. Enforcement

Employees who violate this policy may be subject to discipline. If a non-employee is engaged in unauthorized solicitation, posting, or distribution of literature, it is the responsibility of management personnel to advise the non-employee to either terminate the activity or remove themselves from County premises. If the non-employee continues such activity, the manager should notify County security.

The County manager, elected officials and department directors, or their designees, shall be responsible for enforcement of this policy.

E. Exceptions

Dissemination of oral and written information regarding the following organizations, programs, or activities is permissible and subject to the oversight of the appropriate County department head:

1. All programs and postings required by local, state, or federal law.
2. County-sponsored programs. Such programs include, but are not limited to, the Maricopa County Employees Combined Charitable Campaign, employee health and fitness programs sponsored by Maricopa County Employee Health Initiatives, the Maricopa County prescription drug discount program, and training programs sponsored by Maricopa County Staff Development.

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
August 8, 2007**

3. Programs and information directly related to the mission of the County or a County department including, but not limited to, the Maricopa County Trip Reduction Program.
4. Discount offers for County employees from organizations that have a contract or written agreement with the County to provide the County or its employees with goods or services. Such organizations include, but are not limited to, the Employee Services Management Association (ESMA).
5. Educational programs that provide a degree or certification upon completion, and for which employees may qualify for reimbursement under the County's Tuition Reimbursement Program.

F. Contacts

Questions concerning administration or enforcement of this policy should be directed to Maricopa County Workforce Management and Development, or the County Manager, elected officials or department heads, or their designees.

IGA FOR CONVEYANCE OF NON-EXCLUSIVE RECREATIONAL USE EASEMENTS

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve Intergovernmental Agreement (IGA) FCD 2006A002 between the Flood Control District of Maricopa County and the Maricopa County Parks and Recreation Department which will allow the conveyance of non-exclusive recreational use easements over proposed project areas as requested by the County and approved by the District. The County may request easements for the Maricopa County Regional Trail System, and for additional recreation sites on District property. (C6908001200) (ADM1910)

SALE OF PARCEL TO THE CITY OF GOODYEAR

Motion was made by Director Stapley, seconded by Director Wilson, and unanimously carried (5-0) to approve and authorize the Flood Control District of Maricopa County to sell a portion of Parcel 500-04-982 to the City of Goodyear in the amount of \$425,825. The sale of a portion (84,165 +/- square feet) of parcel 500-04-982 to the City, located along McDowell Road between Bullard Avenue and Reems Road is for a City roadway construction project. (C6908007B00)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board